

In the United States Court of Federal Claims

OFFICE OF SPECIAL MASTERS

No. 22-0144V

UNPUBLISHED

KELLY QUINN,

Petitioner,

v.

SECRETARY OF HEALTH AND
HUMAN SERVICES,

Respondent.

Chief Special Master Corcoran

Filed: June 12, 2023

Special Processing Unit (SPU);
Ruling on Entitlement; Concession;
Table Injury; Hepatitis A (Hep A)
Vaccine; Hepatitis B (Hep B)
Vaccine; Vasovagal Syncope

*Catherine Wallace Costigan, Maglio, Christopher & Toale, Washington, D.C, for
Petitioner.*

Michael Joseph Lang, U.S. Department of Justice, Washington, DC, for Respondent.

RULING ON ENTITLEMENT¹

On February 11, 2022, Kelly Quinn filed a petition for compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §300aa-10, *et seq.*² (the “Vaccine Act”). Petitioner alleges that she suffered from vasovagal syncope as a result of a Hepatitis A/B vaccine she received on March 27, 2019. Petition at ¶¶6, 9, 11. Petitioner further alleges that “her vaccine related injuries lasted more than six months and resulted in inpatient surgical intervention.” Petition at ¶18. The case was assigned to the Special Processing Unit of the Office of Special Masters.

On June 9, 2023, Respondent filed his Rule 4(c) report in which he concedes that Petitioner is entitled to compensation in this case. Respondent’s Rule 4(c) Report at 1.

¹ Because this unpublished Ruling contains a reasoned explanation for the action in this case, I am required to post it on the United States Court of Federal Claims’ website in accordance with the E-Government Act of 2002. 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services). **This means the Ruling will be available to anyone with access to the internet.** In accordance with Vaccine Rule 18(b), Petitioner has 14 days to identify and move to redact medical or other information, the disclosure of which would constitute an unwarranted invasion of privacy. If, upon review, I agree that the identified material fits within this definition, I will redact such material from public access.

² National Childhood Vaccine Injury Act of 1986, Pub. L. No. 99-660, 100 Stat. 3755. Hereinafter, for ease of citation, all section references to the Vaccine Act will be to the pertinent subparagraph of 42 U.S.C. § 300aa (2012).

Specifically, Respondent states that “it is Respondent’s position that Petitioner has satisfied the criteria set forth in the recently revised Vaccine Injury Table (“Table”) and the Qualifications and Aids to Interpretation (“QAI”), which afford Petitioner a presumption of causation if the onset of vasovagal syncope occurs within one hour after a hepatitis A or hepatitis B vaccination and there is no apparent cause.” *Id.* at 6. Respondent further agrees that “Petitioner experienced more than six months of residual effects.” *Id.*

In view of Respondent’s position and the evidence of record, I find that Petitioner is entitled to compensation.

IT IS SO ORDERED.

s/Brian H. Corcoran
Brian H. Corcoran
Chief Special Master